UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

PUBLIC SERVICE COMPANY OF NEW MEXICO

and

Case 28-CA-105815

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL UNION NO. 611, AFL-CIO

ORDER¹

The Respondent's Motions to Dismiss or for Summary Judgment or to Defer specified complaint allegations are denied. The Respondent has failed to establish that there are no genuine issues of material fact and that it is entitled to judgment as a matter of law. This denial is without prejudice to the Respondent's right to renew its arguments to the administrative law judge and before the Board on any exceptions that may be filed to the judge's decision, if appropriate.²

Dated, Washington, D.C., April 28, 2014

KENT Y. HIROZAWA, MEMBER

HARRY I. JOHNSON, MEMBER

NANCY SCHIFFER, MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² On April 7, 2014, the administrative law judge assigned to this case issued an order denying the Respondent's motions. The motions were not technically before the judge pursuant to Sec. 102.24 of the Board's Rules and Regulations at that time. However, we note that the judge is free to reconsider the motions and to reissue his order if the Respondent renews its arguments to the judge.